

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

DIRECT MARKETING CONCEPTS, INC., et
al.,

Defendants

CIVIL ACTION NO. 04-CV 11136GAO

AFFIDAVIT OF SORAIDA NEGRON

I Soraida Negron, under oath declare as follows:

1. I am an employee of Direct Marketing Concepts Inc. and ITV Direct, Inc. (collectively as "ITV"). I have been employed as the director of Quality Assurance since February of 2005 and have personal knowledge as to the facts contained herein.

2. I was hired by ITV to assist in assuring that the company complies with all applicable laws and regulations in the sales process and in all interactions with customers. I report to the Vice President of Sales, Jack Freeman, as well as sales managers Simon Mena, Garry Calandro, Jesse Jalbert and Matthew Ribaudo.

3. I worked in the sales department as a sales representative from January 3, 2003 through May 25, 2003, primarily focused on Spanish language sales. My previous position gave me knowledge and experience in sales specific to the direct response industry which has helped me in my current position. Because I have personally answered the telephones on the sales floor I have a strong understanding of the sales process. This has enabled me to ensure that the current sales representatives are clearly explaining the terms of each sale to the customer.

4. My day to day duties include phone monitoring; which is monitoring the sales representative in real time to ensure that the sales representative is clear, accurate and communicating the sale to the customer properly. I also make sure that the sales representative is polite to the customers, ensuring that the sales representatives are not hanging up on customers or treating customers with disrespect.

5. As part of my duties, I also regularly record sales representatives and provide the sales managers with the tape of that particular sales representative's interaction with the customer. The sales managers then sit down with that particular sales representative for one on one training and listen to the tapes together to ensure that they are effectively doing their job and following the sales scripts.

6. I also audit the contract genie recordings. This policy was created by the company's attorney Michael Sciucco. Before I was hired full time, customer service representatives were reviewing the recordings. I was hired as a full time employee initially to review these recording and monitor the sales floor. I am responsible for reviewing the recordings and reporting my findings to the sales managers, customer service and our legal department. I primarily listen to these recordings to ensure the customer is fully informed of the terms of and has agreed to be placed on the re-supply or continuity program.

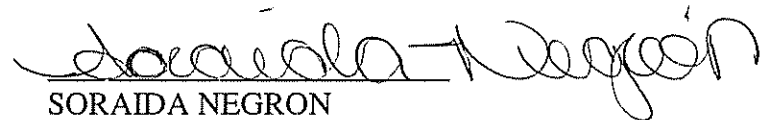
7. If I learn after a review of contract genie recordings that there is a sale that is not clear and accurate, the sales representative will be sanctioned accordingly. Depending on the seriousness of the violation, the sanction can be an informal verbal warning from the sales manager, or it can be a formal written warning.

8. If a formal written warning is issued, the employee must report to John Maihos, who is the Vice President of Human Resources. Mr. Maihos listens to the recording with the sale representative and explains any problem with the transaction. In cases of particularly bad conduct or repeat violations, the sales representative may be subject to retraining, suspension or termination.

9. In my experience, ITV takes its compliance with all rules and regulations in connection with sales very seriously. From the moment I was hired, it has been clear that violations of policy will not be tolerated. I have personally seen the efforts that ITV has taken to ensure compliance and I believe those efforts work.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 6th day of June, 2005 in Beverly, Massachusetts.


SORAIDA NEGRON